

Whereas, the general fund levy of said county is 4 1-20 mills, while the law provides that the county board may levy nine mills for general purposes, therefore be it

Resolved, first, that it is the duty of the board of supervisors of said county, so far as lies within their power, to protect the public records of said county

Second. That the board of supervisors can legally use the monies collected as insurance on the buildings so destroyed by fire together with the residue of an amount not exceeding a nine mill general fund levy for all purposes for the purpose of repairing and restoring said building.

Third. That as the executive officers of said county, the said board of supervisors deem it their duty to so repair and restore said building, using the funds available therefor.

Fourth. That it is the sense of this board that it is to the best interests of the people of this county, in order to protect and care for the public records of said county, that said building be repaired and restored.

Fifth. That we proceed at once to employ a competent architect to examine the ruins occasioned by said fire and report to us in writing the feasibility of repairing of the present foundation, together with all salvage from said building and the approximate cost of restoring said building in its former condition as near as practicable.

Sixth. That in the event said architect report back to this board that said building can be repaired and restored for the amount thus available for the purpose, that it is the sense of this board that we proceed at once to repair and restore said building.

Moved by Dewey, seconded by Cushman that the resolution be accepted and adopted as read, and the roll being called the following vote resulted:

Grit-No Headley-No
Foley-No Cushman-Yes
Gilmore-No Dewey-Yes
Morris-No

The chairman declared the motion lost.

It was moved and carried that the county clerk be instructed to certify into the county treasurer the amount of costs in the case of P. F. Campbell vs. Custer county and that treasurer be instructed to hold same out of the final payment of said certificate.

The claims committee made the following report:

We, your committee recommend that the following claims be allowed on the 1909 general fund:

H. E. Kennedy, \$7.55
Dr. J. P. McNulty, medical services, 30.00
Henry Kelley vital statistics, 3.50
F. M. S. Souda vital statistics, 1.75
E. G. Schwind vital statistics, 0.50
D. W. Gardner vital statistics, 7.10
M. L. Lamb vital statistics, 5.00
Wm. M. Souda vital statistics, 2.00
M. S. Amos, mdse. for poor, 5.15

And that the following claims be allowed on the 1910 general fund:

Mrs. May Whitney nursing poor, 7.00
Dr. A. V. Sheldahl medical services, 21.00
Custer County Beacon publishing, 37.30
M. R. Foster services Co. assessor, 37.50
M. R. Foster same, 37.50
M. R. Foster same, 70.00
L. D. Marquis mdse. for court room, 35.00
M. R. Foster services Co. assessor, 30.00
M. R. Foster postage and express, 1.25
Dr. E. F. Ward medical services, 51.00
Thos. F. Hearn adding machine stands, 16.00
H. F. Kennedy deputy hire, 1.00
J. M. Dunkle board for prisoners, 25.10
Dierks Lbr. & Coal Co. coal, 31.60
Nat'l Office Supply Co. supplies, 11.00
John Deane repair of pipe driver, 1.00
Garland E. Lewis clerk hire, 28.00
Garland E. Lewis salary, 150.00
J. G. Haebler mdse. for poor, 2.00
J. G. Haebler mdse. for poor, 4.50
J. G. Haebler mdse. for poor, 2.00
E. F. Malloy draying, 27.00
W. F. Darnell cabinet work, 20.00
Geo. W. Sweeney draying, 1.75
Monarch Typewriter Co., 94.50
W. B. Eastman map, 1.00
C. H. Kennedy board for prisoners, 13.00
Tom Adams rent for board meeting, 5.00
E. C. House I. Oliver Typewriter, 100.00
Garland E. Lewis salary, 150.00
Smith Premier Typewriter Co. mdse., 2.00
Smith Premier Typewriter Co. same, 3.50
Smith Premier Typewriter Co. machine, 110.00
H. M. Plackney work on school maps, 25.00
J. R. G. Pennington medical services, 41.00
C. H. Englund mdse., 5.00
Anderson & Forney mdse., 8.00
Geo. B. Mair, appointing election board, 38.75
Chas. J. Dutton, care Tom Morris, 24.00
Central Telephone Co. services, 22.35
O. H. & A. W. Huccomb, supplies, 2.05
W. H. Osborne, part salary, 11.75
Stevenson & Fulton, labor on maps, 5.80
Bryder Bros & Co. mdse., 437.10
D. C. Konkel, furniture for offices, 14.00
Hugh Kenoyer, bailiff District Court, 50.00
Scott Cooper, janitor salary, 50.00
A. J. Van Antwerp, maps for office, 28.00
A. E. Anderson, clock court house, 1.00
E. C. Cayenne, postage 1909, 285.50
W. H. Osborne, telephone toll, 5.80
A. C. Wall, cabinet work, 37.00
W. H. Osborne Jr. part 1910 salary, 125.00

J. R. Gadd, cleaning brick, 1.00
N. T. Gadd, salary 1st quarter 1910, 250.00
G. L. Turner Lbr. Co. cement, 2.25
J. E. Kessell, watch at vaults, 22.50
Scott Cooper, Jan. janitor salary, 50.00
O. H. Mevis & Co. mdse., 7.50
J. L. Miller, carpenter work, 14.80
Eagle Grocery Co. groceries for poor, 14.80
Frank Walton, table for surveyor, 5.00
Geo. H. Mair, register notice election, 15.50
H. B. Drake, mdse., 5.30
Geo. B. Mair, drawing jury March term, 1.50
W. H. Osborne Jr. Clerk Co. board, 100.00
C. H. Kennedy, cash drawer for treasurer, 2.50
Detective Pub. Co. mdse. for Sheriff, 22.25
Klopp & Bartlett, supplies, 76.50
L. Cushman, fare for pauper, 112.10
Se George, mdse., 5.05
Edward Foley Sr. board work, 28.10
Geo. W. Headley, board work, view- ing bridges, 42.00
Geo. W. Dewey, board work and mileage, 10.00
J. E. Grit, board work and mileage, 113.70
J. B. Gilmore, board work and mileage, 88.40
Geo. W. Dewey, board work and mileage, 90.25
Edward Foley, board work and mileage, 19.00
Geo. W. Headley, viewing bridges, 41.25
L. Cushman, board work, 67.50
J. B. Gilmore, board work and mileage, 27.00
Geo. W. Dewey, board work and mileage, 19.00
Edward Foley Sr. board work and mileage, 24.50
Geo. W. Dewey, viewing bridges, 42.00
Edward Foley Sr. special board work, 14.40
L. Cushman, board work and mileage, 36.45
G. E. Pennington, referred to general board and allowed for, 30.05
R. A. Moore, referred to general board and motion making and carried that same be rejected
We also recommend that the following claims be rejected:
Dr. E. D. Thurston, 10.00
We also recommend that the following election claims be allowed:
Loup Township:
Wm. Davis, 4.00
Diah Woodruff, 4.00
H. M. Campbell, 4.00
Will P. Trew, 8.50
Joseph Haelele, 4.00
John Rogers, 4.00
R. S. Bryan, 4.00
James W. Warrington, 4.00
S. Neth, 6.05
Custer No 2:
E. K. Lichtenberger, 9.20
John Mauer, 4.00
John Cameron, 4.00
P. VanCleave, 4.00
A. J. Wain, 4.00
Douglas Grove:
A. J. Pickett, 4.00
Ed Glover, 4.00
Ed Spoor, 4.00
W. R. Amos, 8.30
Z. D. Amos, 8.30
Chas. R. Winter, 4.00
John Hastings, 4.00
Chas. Davy, 4.00
L. R. Van Antwerp, 4.00
John McGuigan, constable, 11.00
A. J. Watkins, 4.00
Victor, 4.00
David Christen, 4.00
W. L. Lewis, 4.00
G. E. Emphield, 4.00
Ira Foster, constable, 4.00
F. C. Wilson, 8.50
A. Z. Perrin, 4.00
J. D. Crownover, 4.00
Jens Otton, 4.00
James Mauer, 11.50
W. D. Hall, 11.50
Westerville:
M. G. Hays, 4.00
W. A. Gardner, 4.00
C. T. Leach, 4.00
F. A. Emerson, 4.00
John Welch, 8.00
John Scott, constable, 4.00
Myrtle:
J. W. Bryan, 4.00
Albert Shubeck, 4.00
A. E. Woodworth, 4.00
F. E. Delano, 4.00
W. P. Hyatt, 10.50
Algernon:
J. M. Ansberry, 10.30
F. M. Massman, 4.00
Jas. English, 4.00
F. C. Miller, 4.00
Fred Peterson, 4.00
J. W. Smith, constable, 4.00
Kilfoil:
H. R. Joyner, 4.00
Frank Kelley, 4.00
J. J. Joyner, 4.00
Jos. Fennimore, 4.00
Wm. Walsh, 7.00
Broken Bow north side:
J. B. Helcomb, 4.00
W. S. Boyce, 4.00
I. A. Coleman, 4.00
M. G. Montgomery, 4.00
Harry Kimball, 4.00
B. B. south side:
W. H. Shackelford, 4.00
W. H. Osborne, Sr., 4.00
Allen Reynier, 4.00
Leo Dean, 4.00
J. W. Johnson, 4.00
Delight:
R. B. Bennett, 4.00
J. D. Workman, 4.00
Robt. Moran, 4.00
Walter Barnard, 4.00
N. M. Morgon, 10.50
F. J. Drum, rent for polling place, 5.00
Arnold:
John McGuire, 4.00
H. R. Black, 4.00
C. M. Blowers, 12.00
J. M. Samuelson, 4.00
S. McCants, 4.00
Lillian No 1:
Ed Bishop, 4.00
E. Young, 4.00
Ben Kellog, 4.00
Stephen Maple, 4.00
F. A. Bates, 8.10
Lillian No 2:
A. T. Woods, 4.00
Sam Weinman, 4.00
E. S. B. McAllister, 4.00
Chas. Wallace, 4.00
J. S. Austin, 7.05
Elk Creek:
T. S. Crossley, 11.80
Henry Robertson, 4.00
Gottlieb Hiser, 4.00
H. G. Arp, 4.00
Canute Lee, 4.00
West Union No 1:
John Huffman, 4.00
C. A. Allen, 4.00
Geo. Orvis, 4.00
Chas. J. Vose, 4.00
Gordon R. Pike, 11.00
West Union No 2:

P. Farley, 4.00
Frank Sutton, 4.00
Bert Orvis, 4.00
Deal, 4.00
Dan Perkins, 11.00
John Phrem, constable, 4.00
Triumph:
O. C. Murphy, 4.00
Wm. Warren, 4.00
B. F. Riggler, 4.00
B. J. Beecher, 4.00
Alf Schreyer, 8.50
P. Seyerson, treas. school district 42, rent, 2.00
Cliff:
Chas. Blakeman, 4.00
R. M. Severs, 4.00
Henry Barrett, 4.00
Wm. Schadd, 4.00
Millard Hill, 8.30
Grant:
W. L. Cox, 4.00
Trump Campau, 4.00
Joe Gilmore, 4.00
R. E. Williams, 4.00
Harve Stockham, 12.25
Ansley:
T. T. Daniels, 4.00
F. W. Myers, 4.00
S. G. Hagen, 4.00
A. H. Turpin, 4.00
C. M. Harris, 9.70
A. D. Coen, constable, 4.00
Berwyn:
L. F. Oxford, 4.00
Boyd Linder, 4.00
J. O. Taylor, 7.00
F. G. Perkins, 4.00
B. W. Welch, 4.00
Elim:
Frank Fochtman, 4.00
Chris Bonde, 4.00
John Tallin, 4.00
Chas. Worrel, 4.00
E. S. Woodruff, 12.00
Garfield:
Jesse Bradburn, 4.00
Joe Bradburn, 4.00
B. Francis, 4.00
C. E. Green, 4.00
Paul McCaslin, 7.50
Wayne:
Ernest Johnson, 4.00
Jno W. Johnson, 4.00
M. H. Rosentrater, 4.00
Fred Duis, 13.50
T. O. Olsen, 4.00
Hayes:
T. T. Winchester, 4.00
W. D. Blankenship, 4.00
Ernest Wood, 12.15
W. D. Groat, 4.00
Will Leonard, 4.00
Amos Lewis, constable, 4.00
Comstock:
J. L. Peter, 4.00
W. W. Dye, 4.00
J. F. Wescott, 4.00
W. N. Stevens, 4.00
E. E. Wimmer, 4.00
East Custer:
A. Wolf, 4.00
W. Henman, 4.00
A. C. White, 4.00
R. L. Briggs, 4.00
Jerome Taylor, 7.20
Also that the following claims be allowed:
Jas. Davidson, putting up booths, 4.00
L. Cushman, teams delivering ballots, 2.00
G. O. Piggman, delivering ballots, 6.50
Gertie Wood, 4.00
Dan Dougherty, rent school district No 1, 2.25
M. W. Hall Co. Ansley, rent, 5.00
W. B. Eastham, canvassing returns, 2.00
M. O. Warrington, 12.00
E. E. Wimmer, sub election notice Courier-Tribune, 12.50
C. Hall, 12.50
B. A. Darrow, 5.00
E. E. Philpott, 12.50
A. H. Parks, 10.00
Sargent Leader, 12.50
Oconto Register, 12.50
Barnard Bros. election and tax note, 13.05
J. E. Grit, 4.00
Geo. W. Dewey, Com. L. Cushman, 4.00
Moved and carried that the report of the committee be accepted and adopted as read.
The road and road claims committee made the following report:
We, your committee recommend that the following claims be allowed:
H. W. George, commissioner on Stevens road, 9.70
Walt Barnard, appraising Deming road, 3.25
O. C. Seyerson, appraising Zoerb road, 2.30
W. F. Peterson, appraising Shannon road, 2.00
E. Woodruff, commissioner Mottin road, 10.00
F. E. Van Antwerp, commissioner on the Shannon road, 6.75
Custer County Beacon, publishing road notices, 36.25
R. W. Buckner, com. on Lundy and Lockhart roads, 17.50
H. N. Morris, appr. Hudson road, 3.50
W. D. Hall, 3.50
R. W. Fulton, 3.50
Carl Lockhart, axman Lockhart road, 2.00
O. S. Robinson, chairman same, 2.00
A. J. Van Antwerp, platting, 30.00
A. J. Van Antwerp, surveying, 38.70
Roy R. Barnard, appraising Deming road, 3.25
H. G. Lane, appraising Zoerb road, 3.25
G. W. Rine, appraising Rodine road, 3.25
John E. Johnson, 3.25
Wm. Warren, appraising Zoerb road, 3.25
W. F. Peterson, appr. Rodine road, 3.25
Henry Brown, appr. Stremler road, 3.00
Merle Van Antwerp, chairman on Shannon road, 3.00
E. T. Thornburg, appr. Deming road, 3.25
Barbara Dietrick, damages to neck of 24-25, caused by establishment of Henry Brown road, against road district No 1 Wood River, 75.00
Edward Foley, Sr., 4.00
L. Cushman, Com. J. E. Grit, 4.00
Moved and carried that the report of the committee be accepted and adopted as read.
Moved and carried that the question of replating the roads be left in the hands of the Court house and Jail committee.
Moved and seconded that the Board adjourn to meet June 17th, 1910. Motion lost. Moved and

carried to adjourn to meet on Tuesday, April 12, 1910.
W. H. Osborne Jr., Co. Clerk.

School Report.

Estimate of expenses for 1910 and 1911.

Superintendents salary	\$1600.00
Principal	900.00
3 High School, \$65.00	1725.00
2 Primary, \$60.00	1080.00
28th Grade, \$60.00	1020.00
27th Grade, \$55.00	990.00
26th Grade, \$55.00	990.00
25th and 24th Grade, \$55.00	990.00
23th and 22th Grade, \$55.00	990.00
1 Music and Drawing, \$60.00	540.00
Total	\$10735.00
2 Janitors, \$40.00	720.00
Fuel	500.00
Incidentals	100.00
Total cost	\$12355.00
CASH AVAILABLE	
Assessed Valuation	\$394,378.00
Levy of 25 m. amounts to	\$9,859.57
1909	439.54
State apportionment, Dec.	190.00
Non-Resident tuition	387.00
Rent for house, \$12.50 per mo. 12 mo.	150.00
Assets available	\$11459.85
LIABILITIES	
Registered warrants	\$681.31
Cash on hand today	\$17.31
Estimated in hands of County Treasurer	\$2000.00
Total	\$2047.00
EXTRA EXPENSE	
During year have spent—	
For repairs on two buildings	\$612.00
2 cesspools	195.51
Cement floor both buildings	303.00
Boiler inspect. and ins.	80.00
Rent for school purposes	540.00

Joint Resolution.

Construing section three of an Act entitled "An Act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April twenty-eighth, nineteen hundred and four.

Whereas the Department of the Interior in the administration of an Act entitled "An Act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April twenty-eighth, nineteen hundred and four, has construed the second section thereof to entitle entrymen of the class therein specified to make a new or additional entry of an area not exceeding six hundred and forty acres, including the area contained in the first entry, regardless of the amount of land owned at the making of the new entry, in effect holding that the unit in the territory covered by the Act is six hundred and forty acres; but in the administration of the third section of said Act holds that the ownership of more than one hundred and sixty acres, acquired by purchase or otherwise than by homestead entry, is a disqualification to make entry; and

Whereas by reason of said construction given the said second section attaining general publicity; and

Whereas a large percentage of entries which will be construed to have been made under the third section are of the same class of those specified under the second section, except that no public lands adjacent or contiguous to the original entry existed when said Act was passed or the entries were made, hence entrymen were obliged, without their fault, to make entry of lands noncontiguous to their first entry, by reason of said third section; and

Whereas the reasons, moral and equitable, are just as cogent in favor of according the same rights to entrymen as under the second section in respect in question; and

Whereas district land office attorneys practicing in the territory covered by the Act advised entrymen that the construction of the third section should be and was in the respect in question the same as that placed by the Department of the Interior upon the section, and United States district land offices in the territory covered by said Act accepted entries in accordance with such construction and entrymen so making the same believed reasonably, that such construction was correct and

Whereas many entries have been so made which are construed to have been made under said third section and valuable improvements of a permanent character have been made upon said entries, and great loss will be sustained if such entrymen shall not be allowed to complete

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IN THE DISTRICT COURT OF CUSTER COUNTY, NEBRASKA.

Clara H. Wolf and Ida E. Adams, vs. William Ferris, Jr., et al.

Plaintiffs, vs. Defendants.

The Defendants, Emeline C. Ferris, Edna Ferris Condit, Olive M. Rice, Mary E. Robbins, Rosalie Bennett and Emma J. Robbins, heirs at law of William Ferris, deceased, will take notice that on the 27th day of December, 1909, the Plaintiffs herein filed their petition in the District Court of Custer County, Nebraska, against said Defendants, the object and prayer of which petition was and is to have the court declare the general and different heirs of the said William Ferris, deceased, the following described real estate to-wit: The southeast quarter (SE 1/4) of section thirty-one (31), township nineteen (19), range eighteen (18), west of the 6th P. M. You are required to answer, plead or demur to said petition on or before the 11th day of April, 1910.

Dated February 23rd, 1910.

First Publication March 3rd, 1910.

Ida E. Adams and Clara H. Wolf, by N. T. GADD, Their Atty.

IN THE DISTRICT COURT OF CUSTER COUNTY, NEBRASKA.

Charles E. Gibson, vs. John L. Brady, Mrs. John L. Brady, his wife, L. Henry Lloyd, Mrs. L. Henry Lloyd, his wife, Iowa Mort and Gage Company, T. T. Varney, J. E. Osborne.

Plaintiff, vs. Defendants.

To Charles E. Gibson, the above named Plaintiff:

You are hereby notified that J. E. Osborne on the 21st day of December, 1909, filed his petition in the above case, the object and prayer of which petition is that certain decrees rendered in the above case, one of which was entered on December 28th, 1905, and a second decree was rendered February 14th, 1908, be set aside and also that the Sheriff's deed issued in said case be set aside and held for naught and that the money received by the Plaintiff, Charles E. Gibson, and also the money received by T. T. Varney be paid into court and that this petitioner, who is the owner of the undivided half of the land sold under and by virtue of the decree, herein set out, viz: The southeast quarter (SE 1/4) of section 32, township 15, range 18, be allowed and permitted to redeem said land from the amount actually and legally due under the decree on which the Sheriff's sale was made, and the petitioner, J. E. Osborne, also asks for all further equitable relief.

You are hereby required to answer, plead or demur to said petition on or before the 11th day of April, 1910, in case you fail to do so your default will be entered and decree rendered in favor of this petitioner as prayed in his petition.

1st publication March 3, 1910.

N. T. GADD, Attorney for J. E. Osborne, Petitioner.

IN THE DISTRICT COURT OF CUSTER COUNTY, NEBRASKA.

NOTICE.

Certificate No. 4191.

To Richard Hammell:

You are hereby notified that on Nov. 6, 1909, L. A. Wright purchased at public sale for taxes for the year 1906 the following described land, to-wit: The northeast 1/4 of north-east 1/4 of section 22 township 19 range 22 in Custer county, State of Nebraska.

The said land was assessed in the name of L. A. Wright and that, after the expiration of the time for the filing of the third publication of this notice, tax deed will be applied for.

Dated March 24, 1910.

ANNE L. WRIGHT, 42-44 Owner and holder of certificate.

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G. T. ROBINSON, Propr.

the same: Therefore be it

Resolved by the Senate and Representatives of the United States of America in Congress assembled. That the third section of an Act entitled "An Act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April twenty-eighth, nineteen hundred and four, be, and the same is hereby, construed to entitle all who had made legal entry previous to the passage of said Act, in the territory covered thereby, to make entry thereunder, regardless of the amount of land owned by them, acquired by purchase or otherwise than by homestead entry, of an area which together with their first entry shall not exceed six hundred and forty acres.

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J. A. ARMOUR

ATTORNEY-AT-LAW

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